

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE BRICKLAYERS)	
AND ALLIED CRAFTSMEN LOCAL 56)	
FRINGE BENEFIT FUND,)	
)	Case No. 08-cv-1616
Plaintiffs,)	
)	Judge James B. Zagel
v.)	
)	
AL'S MASONRY CONTRACTING,)	
INC., an Illinois corporation; AL'S MAINTENANCE,)	
INC., a dissolved Illinois corporation; ALFONSO)	
GUZMAN, SR., individually; ANDREA GUZMAN,)	
Individually; and MARIA SABAT a/k/a MARY SABAT)	
a/k/a MARIA SORIA, individually,)	
)	
Defendant.)	

**PLAINTFFS' MOTION FOR CORRECTION OF OMISSIONS IN ORDER OF
JUDGEMENT UNDER RULE 60(a)**

Plaintiffs, TRUSTEES OF BRICKLAYERS AND ALLIED CRAFTSMEN LOCAL 56 FRINGE BENEFIT FUND ("Funds"), by their attorneys, Donald D. Schwartz and Shane Luedke, of Arnold and Kadjan, and pursuant to Fed. R. Civ. Pro. 60(a) move for entry of Corrected Judgment Order due to omissions in previous order. In support of its claim, Plaintiffs state as follows:

- 1) Findings related to service of summons, failure of Defendants to answer complaint or otherwise please, and findings of liability against Defendants and in favor of Plaintiffs were inadvertently omitted when the Judgment Order was submitted to the Court for entry.

- 2) The Order previously entered by the Court in this case does not comply with the Federal Rules of Civil Procedure due to the inadvertent omissions outlined above.
- 3) This Court may on motion or on its own "correct a clerical mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or other part of the record.

WHEREFORE, Plaintiffs, TRUSTEES OF BRICKLAYERS AND ALLIED CRAFTSMEN LOCAL 56 FRINGE BENEFIT FUND, pray this Court enter the Corrected Judgment Order as a correction to the previous Judgment Order enter in this case by this Court.

Respectfully submitted,

TRUSTEES OF THE BRICKLAYERS AND
ALLIED CRAFTSMEN LOCAL 56 FRINGE
BENEFIT FUND

s/ Shane Luedke
Counsel for Plaintiffs

Donald D. Schwartz
Shane Luedke
ARNOLD AND KADJAN
19 West Jackson Blvd.
Chicago, Illinois 60604
(312) 236-0415

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE BRICKLAYERS)
AND ALLIED CRAFTSMEN LOCAL 56)
FRINGE BENEFIT FUND,)
Plaintiffs,) Case No. 08-cv-1616
v.)
AL'S MASONRY CONTRACTING,)
INC., an Illinois corporation; AL'S MAINTENANCE,)
INC., a dissolved Illinois corporation; ALFONSO)
GUZMAN, SR., individually; ANDREA GUZMAN,)
Individually; and MARIA SABAT a/k/a MARY SABAT)
a/k/a MARIA SORIA, individually,)
Defendant.)
Judge James B. Zagel

CORRECTED JUDGMENT ORDER

THIS CAUSE coming on to be heard on Plaintiffs' Motion for Order of Default and Judgment in Sum Certain, all parties having been given due notice; this Court hereby finds:

1. This case was filed on March 20, 2008.
2. All Defendants were served with Summons and Complaint as of April 10, 2008.
3. In excess of 20 days have expired since Service of Process, however, Defendants have failed to file an answer or otherwise plead.
4. The audits of Al's Construction performed by Legacy Professionals, revealed that Defendants, as alter-egos of Al's Construction and as those corporate officers in control of Al's Construction and Defendant corporations, owe \$841,244.69 to the Plaintiffs, which includes liquidated damages as indicated in the audits. This audit is supported by affidavit of Michael Scrementi of Legacy Professionals.
5. The cost of the audits billed to the Plaintiffs is \$36,921.89. These costs are supported by affidavit of Michael Scrementi of Legacy Professionals.

6. Per the affidavit of Donald Schwartz, attorney for Plaintiffs in legal fees and expenses \$8,913.75 has been incurred in this suit.

7. Defendant corporations are liable to Plaintiffs as alter ego corporations of Al's Construction.

8. Defendants Andrea Guzman and Alfonso Guzman, Sr. are liable to Plaintiffs under principles of piercing the corporate veil.

IT IS HEREBY ORDERED:

1. Judgment in the amount of \$887,080.33 is entered in favor of Plaintiffs, Trustees of the Bricklayers and Allied Craftsmen Local 56 Fringe Benefit Funds, and against the Defendants, **AL'S MASONRY CONTRACTING, INC.**, an Illinois corporation; **AL'S MAINTENANCE, INC.**, a dissolved Illinois corporation; **ALFONSO GUZMAN, SR.**, individually; and **ANDREA GUZMAN**, Individually.

2. A PERMANENT INJUNCTION is issued against named Defendants, **AL'S MASONRY CONTRACTING, INC.**, an Illinois corporation; **AL'S MAINTENANCE, INC.**, a dissolved Illinois corporation; **ALFONSO GUZMAN, SR.**, individually; and **ANDREA GUZMAN**, Individually, (1) requiring Defendants to pay Plaintiffs immediately all past due contributions and to pay to Plaintiffs timely on all contributions that accrue during this action, (2) prohibiting Defendants from dissipating or transferring any assets until all contributions are paid in full, (3) enjoining Defendants from failing or refusing to pay monies due to the Fund, (4) waiving the necessity of posting a bond as required by Fed. R. Civ. P 65(c), (5) enjoining Defendants from violating the terms of the collective bargaining agreements and trust agreements by refusing to make timely contributions to the Plaintiffs and ordering them to resume such payments (6) enjoining Defendants from performing any further bricklaying work until the

judgment, herein, is paid and satisfied, and (7) granting Plaintiffs such other and further equitable relief as this Court may deem appropriate.

3. This is a final and appealable order.

DATED: _____

ENTER: _____
HONORABLE JUDGE Zagel

Donald D. Schwartz
Shane Luedke
ARNOLD AND KADJAN
19 West Jackson Boulevard
Chicago, Illinois 60604
(312) 236-0415